



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC

Issued by the Department of Transportation on June 15, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST 98-3954

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of **American Airlines, Inc.** filed **6/12/98** for:

XX Allocation of seven weekly frequencies to provide:

Scheduled combination services in the Miami-Lima market.

Applicant rep.: **Carl B. Nelson, Jr. 202-496-5647** DOT analyst: **Linda Senese, 202-366-2367**

DISPOSITION

XX Granted (Subject to conditions, see below.)

The above action was effective when taken: **June 15, 1998**, and will remain in effect, provided that American continues to hold the necessary underlying authority to serve the Miami-Lima market.

Action taken by: Paul L. Gretch, Director
Office of International Aviation

XX Authority granted is consistent with the 1998 bilateral aviation agreement between the United States and Peru.

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:

XX Holder's certificate of public convenience and necessity

Special Conditions/Remarks: Consistent with our standard practice, the frequency allocation granted is subject to the condition that it will expire automatically and the frequencies will revert automatically to the Department for reallocation if they are not used for a period of 90 days.

By Notice served June 8, 1998, the Department notified interested parties of the new aviation agreement with Peru. It also stated that under the agreement seven frequencies were available for allocation and that American Airlines had notified the Department of its plans to use the frequencies to operate an additional daily frequency in the Miami-Lima market. The Notice further indicated that absent the filing of competing requests by carriers having firm plans to operate near-term services in the U.S.-Peru market, we would allocate the available seven frequencies to American for its Miami-Lima services.

(See Reverse Side)

No competing applications for U.S.-Peru services were filed, and we proceeded to grant American's request.

Delta submitted a response to the Notice, referring to its pending application for New York-Lima authority with a proposed June 12, 1999 start-up date and urging the Department promptly to consider that application so that Delta could secure authority in time to permit successful implementation and marketing of its services. Our June 8 Notice indicated that the Department would issue a separate notice this fall with respect to the 14 additional frequencies that will become available under the agreement for services beginning in June 1999. We assure Delta, as well as all other interested parties, that we remain fully committed to this intention.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; and (2) grant of the authority was in the public interest. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in the Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov/general/orders/aviation.html>*